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**NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Applicants : Neirynck et al.
Application No. : 09/498,046 Confirmation No. : 8244
Filed : February 4, 2000
For : IMMUNOPROTECTIVE INFLUENZA ANTIGEN AND
ITS USE IN VACCINATION
Group Art Unit : 1648
Examiner : Shanon A. Foley

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TECH CENTER 1600/2900

New York, New York 10020
January 3, 2003

Hon. Commissioner for Patents
Washington, D.C. 20231

NOTICE OF APPEAL

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed July 3, 2002 in which the rejection of claims 26-32, 34-41, 46 and 52-54 was made final.

A three-month extension of time to respond to the final rejection is requested. A check in the amount of \$465 in payment of the extension fee is transmitted herewith.

A check in the amount of \$160.00 in payment of the appeal fee is enclosed.

The Director is hereby authorized to charge payment of any additional fee,

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**EXPRESS MAIL NO.
EV133111894US**

or credit any overpayment, to Deposit Account No. 06-1075. A duplicate copy of this Notice of Appeal is enclosed.

Please Address all correspondence to

James F. Haley, Jr. (Reg. No. 27,794)

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Respectfully submitted,



Z. Ying Li (Reg. No. 42,800)
Agent for Applicants

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